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Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

**PETITION TO ACCEPT UNAVOIDABLY DELAYED PAYMENT OF
MAINTENANCE FEE IN AN EXPIRED PATENT (37 CFR 1.378(b))**

Docket Number (Optional)

Mail to: Mail Stop Petition
Commissioner for Patents
P.O. Box 1450
Alexandria VA 22313-1450
Fax: (571) 273-8300

07/30/2012 DALLIN 00000011 5457780

01 FC:1599

3065.00 OP

NOTE: If information or assistance is needed in completing this form, please contact Petitions Information at (571) 272-3282.

Patent Number: 5,457,780

Application Number: 08/909,312

Issue Date: 10-10-1995

Filing Date: 07-06-1992

CAUTION: Maintenance fee (and surcharge, if any) payment must correctly identify: (1) the patent number (or reissue patent number, if a reissue) and (2) the application number of the actual U.S. application (or reissue application) leading to issuance of that patent to ensure the fee(s) is/are associated with the correct patent. 37 CFR 1.366(c) and (d).

Also complete the following information, if applicable:

The above-identified patent:

- ☐ is a reissue of original Patent No. _____ original issue date _____
original application number _____
original filing date _____
- ☐ resulted from the entry into the U.S. under 35 U.S.C. 371 of international application
_____ filed on _____

2012 JUL 27 AM 11:40
USPTO

CERTIFICATE OF MAILING OR TRANSMISSION (37 CFR 1.8(a))

I hereby certify that this paper (along with any paper referred to as being attached or enclosed) is

(1) being deposited with the United States Postal Service on the date shown below with sufficient postage as first class mail in an envelope addressed to Mail Stop Petition, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 OR

(2) transmitted by facsimile on the date shown below to the United States Patent and Trademark Office at (571) 273-8300.

JULY 21, 2012

Date

Signature

STEVEN M. SHAW

Typed or printed name of person signing Certificate

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

1. SMALL ENTITY

☐ Patentee claims, or has previously claimed, small entity status. See 37 CFR 1.27

2. LOSS OF ENTITLEMENT TO SMALL ENTITY STATUS

☐ Patentee is no longer entitled to small entity status. See 37 CFR 1.27(g)

3. MAINTENANCE FEE (37 CFR 1.20(e)-(g))

The appropriate maintenance fee must be submitted with this petition, unless it was paid earlier.

NOT Small Entity			Small Entity		
Amount	Fee	(Code)	Amount	Fee	(Code)
<input type="checkbox"/> \$ _____	3 ½ yr fee	(1551)	<input type="checkbox"/> \$ _____	3 ½ yr fee	(2551)
<input type="checkbox"/> \$ _____	7 ½ yr fee	(1552)	<input type="checkbox"/> \$ _____	7 ½ yr fee	(2552)
<input type="checkbox"/> \$ _____	11 ½ yr fee	(1553)	<input checked="" type="checkbox"/> \$ 2,365.00	11 ½ yr fee	(2553)

MAINTENANCE FEE BEING SUBMITTED \$ _____

4. SURCHARGE

The surcharge required by 37 CFR 1.20(i)(1) of \$ 700.00 (Fee Code 1557) must be paid as a condition of accepting unavoidably delayed payment of the maintenance fee.

SURCHARGE FEE BEING SUBMITTED \$ 700.00

5. MANNER OF PAYMENT

☒ Enclosed is a check for the sum of \$ 3,065.00

☐ Please charge Deposit Account No. _____ the sum of \$ _____

☐ Payment by credit card. Form PTO-2038 is attached.

6. AUTHORIZATION TO CHARGE ANY FEE DEFICIENCY

☐ The Director is hereby authorized to charge any maintenance fee, surcharge or petition fee deficiency to Deposit Account No. _____

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

7. OVERPAYMENT

As to any overpayment made, please

☐ Credit to Deposit Account No. _____

OR

☐ Send refund check

WARNING:

Petitioner/applicant is cautioned to avoid submitting personal information in documents filed in a patent application that may contribute to identity theft. Personal information such as social security numbers, bank account numbers, or credit card numbers (other than a check or credit card authorization form PTO-2038 submitted for payment purposes) is never required by the USPTO to support a petition or an application. If this type of personal information is included in documents submitted to the USPTO, petitioners/applicants should consider redacting such personal information from the documents before submitting them to the USPTO. Petitioner/applicant is advised that the record of a patent application is available to the public after publication of the application (unless a non-publication request in compliance with 37 CFR 1.213(a) is made in the application) or issuance of a patent. Furthermore, the record from an abandoned application may also be available to the public if the application is referenced in a published application or an issued patent (see 37 CFR 1.14). Checks and credit card authorization forms PTO-2038 submitted for payment purposes are not retained in the application file and therefore are not publicly available.

8. SHOWING

The enclosed statement will show that the delay in timely payment of the maintenance fee was unavoidable since reasonable care was taken to ensure that the maintenance fee would be paid timely and that this petition is being filed promptly after the patentee was notified of, or otherwise became aware of, the expiration of the patent. The statement must enumerate the steps taken to ensure timely payment of the maintenance fee, the date and the manner in which the patentee became aware of the expiration of the patent, and the steps taken to file the petition promptly.

9. PETITIONER(S) REQUESTS THAT THE DELAYED PAYMENT OF THE MAINTENANCE FEE BE ACCEPTED AND THE PATENT REINSTATED.

Venson M. Shaw Steven M. Shaw
Signature(s) of Petitioner(s)

JULY 21, 2012

Date

VENSON M. SHAW STEVEN M. SHAW

Typed or printed name(s)

Registration Number, if applicable111 RELDYES AVE, LEONIA, NEW JERSEY 07605

Address

201-947-6884

Telephone Number

Address

ENCLOSURES:

- ☒ Maintenance Fee Payment
☒ Statement why maintenance fee was not paid timely
☒ Surcharge under 37 CFR 1.20(i)(1) (fee for filing the maintenance fee petition)

☐

Other:

COVER LETTER, CHECK \$3,065.00 FOR PETITION SURCHARGE \$700.00 AND 11.5 YRS MAINTENANCE FEE \$2,365.00, COPY OF MAINTENANCE FEE TRANSMITTAL FORM DATED MARCH 25, 2007, COPY OF CHECK NO. 2041 FOR 1,955.00 DATED 3-25-2007.

37 CFR 1.378(d) states: "Any petition under this section must be signed by an attorney or agent registered to practice before the Patent and Trademark Office, or by the patentee, the assignee, or other party in interest."

Signature

Date

Type or printed name

Registration Number, if applicable

STATEMENT

(In the space below, please provide the showing of unavoidable delay recited in paragraph 8 above.)

Dear Madams/Sirs:

Since 1995 you granted us the first above mentioned patent, we having more than 30 US patent at present time. These patent came from our creative idea and diligently efforts. Accordingly, we paid and continually paying the maintenance fees and never missed any single payment.

Surprisingly, we just found out that, the US5457780 (the Patent) has been abandoned in year 2007 for non-payment. We are shocked, since we thought we paid and sent the check of \$1,955.00 HSBC bank, Check No. 2041 and the Maintenance Fee Transmittal Forms to you on March 25, 2007 by US ordinary mail (Please see attached copy). After that, we never received any notice says you had not received our maintenance fee, we assume you must already received the payment at that time. We could not explain why you never received our payment, the possibility was lost on the mail which was not under our control or could avoidable.

Although the Patent will be expired on October 10, 2012, just less than three months away, but, since this was our first patent, it is so precious to us, we consider it as our first baby, we do not wish to let it become an "Abandoned Patent".

When called your office, Ms. Michele Eason instructed us that, in order to reinstate the abandoned patent, the only way is to file PTO/SB/65 under 37 CFR 1.378(b). (Please see attachment)


Please try to imagine our feeling, and allow us to reinstate the abandoned patent, we appreciated your understanding and thank you for your kindly help.

(Please attach additional sheets if additional space is needed)

VENSON M SHAW
111 Reldyes Ave
Leonia, NJ 07605-1326

2041
1-108/210

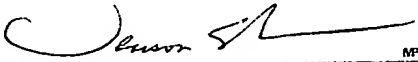
3-25-2007
Date

Pay to the Order of U.S. Patent and Trademark Office \$ 1,955.00
One Thousand Nine Hundred Fifty-Five Dollars  Security Features Details on Back

HSBC  **PREMIER**

Englewood, NJ 07631 11.5 Yrs Maintenance Fee

For U.S. Patent NO. 5457780

 MP

Harland Clarke

JEWELLED ELEGANCE

MAINTENANCE FEE TRANSMITTAL FORM

Address to:
U.S. Patent and Trademark Office
P.O. Box 371611
Pittsburgh, PA 15250-1611

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to "United States Patent and Trademark Office, P.O. Box 371611, Pittsburgh, PA 15250-1611" on March 25, 2007.

Signature Steven M. Shaw

Typed or printed name STEVEN M. SHAW

Enclosed herewith is the payment of the maintenance fee(s) for the listed patent(s).

1. ☒ A check for the amount of \$ 1,955.00 for the full payment of the maintenance fee(s) and any necessary surcharge on the following patents is enclosed.
2. ☐ The Director is hereby authorized to charge \$ _____ to cover the payment of the fee(s) indicated below to Deposit Account No. _____. A duplicative copy of this form is enclosed.
3. ☐ The Director is hereby authorized to charge any deficiency in the payment of the required fee(s) or credit any overpayment to Deposit Account No. _____. A duplicative copy of this form is enclosed.
4. ☐ Payment by credit card. Form PTO-2038 is attached.

* Information required by 37 CFR 1.366(c) (columns 1 & 4). Information requested under 37 CFR 1.366(d) (columns 2, 3, & 5)

Item	Patent Number*	Maintenance Fee Amount (37 CFR 1.20 (e)-(g))	Surcharge Amount (37 CFR 1.20(h))	U.S. Application Number* [e.g., 06/555,555]	Payment Year		
					Column 5	3.5 yrs	7.5 yrs
	Column 1	Column 2	Column 3	Column 4			
1	5457780	1,955.00		08/909,312			X
2							
3							
4							
5							
Subtotals: Columns 2 & 3		1,955.00					
Total Payment		1,955.00	<input type="checkbox"/> _____ additional sheets attached for listing additional patents.				

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on Form PTO-2038.

Respectfully submitted, **

Customer's Signature: Venson M. Shaw

Customer's Name: VENSON M. SHAW

Registration Number, if applicable:

Telephone: 201-947-6884

Fax: 201-947-8723

Note: All correspondence will be forwarded to the "Fee Address" or to the "Correspondence Address" if no "Fee Address" has been provided. See 37 CFR 1.363.

Payment of small entity fee is appropriate if small entity status still exists, see 37 CFR 1.27(g). To establish small entity status or to change status from small to large entity, a written assertion is required. See 37 CFR 1.27 and 1.33(b).

** WHERE MAINTENANCE FEE PAYMENTS ARE TO BE MADE BY AUTHORIZATION TO CHARGE A DEPOSIT ACCOUNT, BOTH THE NAME AND SIGNATURE OF AN AUTHORIZED USER ARE REQUIRED.

This collection of information is required by 37 CFR 1.366. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 5 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA. 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: United States Patent and Trademark Office, P.O. Box 371611, Pittsburgh, PA 15250-1611.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.



Venson M. Shaw
Steven M. Shaw
111 Reldyes Ave
Leonora, NJ 07605

July 21, 2012

Mail Stop Petition
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

RE: PETITION TO ACCEPT UNAVOIDABLY DELAYED PAYMENT OF
MAINTENANCE FEE IN AN EXPIRED PATENT (37 CFR 1.378(b))
US Patent Number 5457780

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Please try to imagine our feeling, and allow us to reinstate the abandoned patent, we appreciated your understanding and thank you for your kindly help.



Respectfully yours,

A handwritten signature in cursive script that reads "Venson m. shaw".

Venson M. Shaw

A handwritten signature in cursive script that reads "Steven M. Shaw".

Steven M. Shaw

- Attachment:**
- 1. Form PTO/SB/65**
 - 2. Check \$3,065 for File Petition \$700. and Replaced Maintenance Fee \$2.365.**
 - 3. Copy of Maintenance Fee Transmittal Form dated March 25, 2007**
 - 4. Copy of Check No.2041 for \$1,955. dated March 25, 2007**